



CHRIS CHRISTIE

Governor

KIM GUADAGNO

Lt. Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs

State Board of Dentistry

124 Halsey Street, 6<sup>th</sup> Floor, Newark, NJ 07102

**VIA CERTIFIED (RRR) AND REGULAR MAIL**



Jeffrey S. Chiesa

Attorney General

THOMAS R. CALCAGNI

Director

February 13, 2012

Charmen W. Douglas, D.M.D.  
C/o Michael Keating, Esq.  
Dughi & Hewitt, PC  
340 North Avenue  
Cranford, NJ 07016

RECEIVED AND FILED  
WITH THE  
N.J. BOARD OF DENTISTRY  
ON 11-2-12 *BA*

Mailing Address:

P.O. Box 45005  
Newark, NJ 07101  
(973) 504-6405

Re: Settlement Letter in Lieu of Formal  
Disciplinary Action  
Complaints #80609

Dear Dr. Douglas:

This letter is to advise you that the New Jersey State Board of Dentistry ( the "Board" ) has had an opportunity to complete its review of information concerning the above captioned complaints. The information reviewed includes:

1. The advertisement(s) that appeared in the August 3, 2011 issue of the Trend Midweek Newspaper.
2. A transcript of your appearance before the Board on January 4, 2012.

Based upon the review of this matter, it appears to the Board that:

1. You engaged in the use of unsubstantiated claims of superiority, in violation of N.J.A.C. 13:30-6.2(c)(2).
2. You advertised yourself as an expert in sleep apnea and cosmetic therapy, which are not recognized as specialties by the American Dental Association, or as a speciality area of dentistry in N.J.A.C. 13:30-6.1(c).

These acts may be sufficient to initiate the filing of formal disciplinary proceedings. However, the Board has determined that it will first offer you an opportunity to settle this matter, through your agreement to the following:

1. Pay a penalty of \$2,000.00 for violating the advertising regulations of the Board.
2. Completion of a four hour continuing education course in the subject of ethics. This course must be pre-approved by the Board and completed within three months of your acceptance of this agreement.

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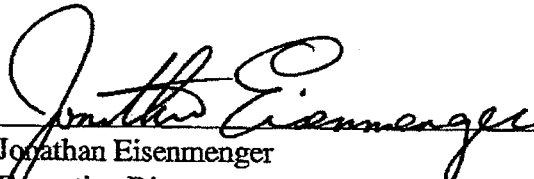
3. Agree to cease and desist from further violations of the Board's advertising regulations.

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. The penalty may be paid by a check or money order made payable to the "State of New Jersey - Board of Dentistry" and should be submitted to the Board office. You should be advised that upon receipt of your signed acknowledgment, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of an appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted, the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than those offered in settlement here, should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies and/or requiring you to pay the additional costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General Nancy Costello Miller, who may be reached at (973) 648-2500.

If you elect to settle this matter, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

Yours very truly,  
**NEW JERSEY STATE BOARD OF DENTISTRY**

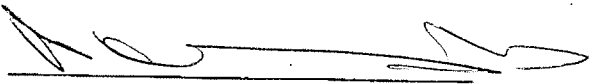
  
Jonathan Eisenmenger  
Executive Director

cc: Nancy Costello Miller, Deputy Attorney General

**ACKNOWLEDGMENT:** I, Dr. Charmen W. Douglas, hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to comply with the directives noted herein. I will submit to the Board:

1. Payment of a penalty of \$2,000.00 for violating the advertising regulations of the Board.
2. Proof that I have completed a four-hour continuing education course in the subject of ethics within three months of the entry of this settlement agreement.
3. My agreement to cease and desist from further violations of the Board's advertising regulations.

10/22/12  
Date

  
Dr. Charmen W. Douglas